

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WAYNE VAN SCOY,)
Plaintiff and)
Counterclaim-Defendant,)
v.)
VAN SCOY DIAMOND MINE OF) Case No. 05-108 (KAJ)
DELAWARE, INC., a Delaware corporation,)
KURT VAN SCOY, and DONNA VAN SCOY,)
Defendants and)
Counterclaim-Plaintiffs.)

STIPULATION AND ORDER EXTENDING TIME

The parties, by their undersigned counsel, hereby stipulate and agree, subject to the approval of the Court, to amend the Scheduling Order dated April 26, 2005, to reflect the following extension of time:

Reply briefs shall be served and filed on or before December 23, 2005.

FOX ROTHSCHILD LLP

ASHBY & GEDDES

By: /s/ Sharon Morgan
Sharon Morgan (Del. Bar No. 4287)
Citizens Bank Center
Suite 1300
919 North Market Street
Wilmington, DE 19801-2323
Phone: (302) 655-3667
E-mail: smorgan@foxrothschild.com
Attorneys for Defendants and
Counterclaim Plaintiff

Dated: November 15, 2005

By: /s/ John G. Day
Steven J. Balick (Del. Bar No. #2114)
John G. Day (Del. Bar No. #2403)
P.O. Box 1150
222 Delaware Avenue
Wilmington, DE 19801
Phone: (302) 654-1888
E-mail: sbalick@ashby-geddes.com
E-mail: jday@ashby-geddes.com
Attorney for Plaintiff

Dated: November 15, 2005

OF COUNSEL:

Charles N. Quinn
Fox Rothschild LLP
2000 Market Street
Tenth Floor
Philadelphia, PA 19103
(215) 299-2135

OF COUNSEL:

Michael F. Petock, Esquire
Michael C. Petock, Esquire
PETOCK & PETOCK
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856

SO ORDERED this _____ day of _____, 2005.

United States District Court Judge